

Vendor OFFICE MAX PO BOX 92735 Remit to:

CHICAGO IL 60675 2735

OFFICE MAX Name and

Address Cntct: TERESA BUCK OFFICE MAX CONTRACT INC of Vendor:

3233 N POST RD

INDIANAPOLIS IN

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Requisition Nbr.: RFP6-38 Effective Date: 04/26/2006 **Expiration Date:** 04/25/2008

Agency Number:

Facility: **ALL STATE AGENCY**

820477390 Vendor Federal ID: Vendor Telephone Nbr: 866/346-6434--Name Of Contact Pers: TERESA BUCK **FAX Number:** 866/346-6433--

In accordance with your bid, submitted in response to the above referenced solicitation, the Vendor agrees that the Indiana Department of Administration, Procurement Division, has the option to purchase the items listed below under the terms of this agreement.

The Vendor agrees to charge these prices for any products ordered on any QPA release received after the expiration of the QPA but issued prior to the expiration date. The quantity listed herein is an estimate of the requirements. The state may order substantially more or substantially less pursuant to the terms of this agreement. Orders are to be delivered only upon receipt of properly approved Quantity Purchase Award Release.

Line Number Quantity UNIT **Article and Description Unit Price**

This is an award of a Quantity Purchase Agreement for Office Supplies for All State Agencies.

QPA can be mutually renewed yearly for three additional years.

The vendor agrees to charge these prices for any products ordered on any QPA release received after the expiration date, but issued prior to the expiration date, and postmarked no later than 14 business days after the QPA's expiration date.

Quantities are estimates and could be more or less and could be shipped to any State Agency within the State of Indiana

Office Max will provide an on-line catalog through PeopleSoft known as the Punch Out site. Therefore, you MUST enter all purchases (regardless of the dollar amount) in PeopleSoft, in the purchasing module.

Office Max has built a State of Indiana website the contains approximately 750 market basket items that was determined to be the most frequently purchased items for the State of Indiana. These items will automatically populate by category as you enter the vendor ordering website.

On the left tool bar, there is a link to non-market basket items (described as "full line". Any orders that are placed with non-market basket items will be submitted for approval by IDOA. Your order will automatically route for approval. You must have a justification in your e-proc requisition that contains the following information:

- Identify what line item(s) are NON-market basket
- 2. Detail why this specific product is needed?
- 3. What research was done to determine that this product(s) is not available or similar to a product through the market basket items?.
- 4. If there is a similar product(s) in the market basket, please detail what sets the product(s) aside from the market basket item(s)? similar? (What does this product offer that other products don't?)

There will NOT be an excessive weight charge and all orders are FOB Destination with no shipping charges for all office supplies included in this Contract.

Delivery - Office Max will use reasonable best efforts to provide that orders placed will be desk top delivery the next day. All orders received after 5 pm local time shall be considered received by Contractor on the next business day. Contractor will use reasonable best efforts to provide that return orders will be picked up within 3 business days and a credit applied within 6 business days

Orders will be dispatched to the vendor electronically from PeopleSoft at 5:00PM. Please make sure your PO is in approved status with a valid budget check. You will know your order has been successfully transmitted when the status of the PO says, "Dispatched."

Backorders are not to be billed until shipped and these orders will stay in the system until authorized agency personnel cancel such order.

The following items are not a part of this contract either on the market or non-market basket items. This is not an all inclusive list but a sample of such items that are not available.

- Copier Paper
- Remanufactured Toner Cartridges
- Office Furniture

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Line Number Quantity UNIT Office Equipment

Article and Description

Unit Price

Office Max has agreed to extend the pricing terms of this contract to non-governmental entities (universities, cities, towns, counties, municipalities, quasi-agencies, elected officials, etc). To establish an account with Office Max with these pricing terms, please contact Office Max directly (contact information can be found on the QPA page). You may need to provide proof that you represent a non-governmental entity and will to reference the QPA number.

The State and its employees shall be able to purchase products at Office Max's retail stores on a "cash and carry" basis through the use of the OfficeMax Retail Connect Card. "Cash and Carry" is defined as payment at the register of the retail store at the time of purchase. The State employee will also need to show their State ID. The prices for the Products available shall be the lower of the retail price of such products or the current price agreed by the State and Office Max under this Contract. Products are subject to availability, and the State understands and acknowledges that not all products available under this Contract with Office Max will be available for purchase and/or billing (if applicable), at their stores. The Retail Connect Card is really an identification card and this process should only be used for emergency purchases. You will need to enter this order in PeopleSoft after the fact and dispatch immediately to eliminate a duplicate order. (Remember, leaving your Purcahse Order in approved status with a valid budget check signles the system to electronically submit it Office Max, if this happens it will create a duplicate order) Please contact Susie Smith at ssmith@idoa.in.gov for a Retail Connect Card.

Office Max will pay the State a rebate on the total annual Net Purchases during each contract year of the Contract based on a mutually agree upon goal. This rebate will be paid annually. Net Purchases are defined as the State's total Product purchases net of credits, returns, unpaid invoices that are past 35 days due, and collections. It is imperative that State Agencies MAKE PAYMENT WITHIN THE 35 DAYS or the State of Indiana will not meet the requirements to receive the rebate offer from Office Max.

The Department of Administration Procurement Staff will be meeting with Office Max regularly to discuss issues, concerns and overall activity related to this Contract. It is critical that agencies report any issues or concerns they experience to Susie Smith at ssmith@idoa.in.gov. Issues must be reported as soon as they arise to ensure an expedient investigation and resolution.

Consignee number- The consignee number is the authorization number linked to the location/ship to address by Office Max. The consignee number will be the first three numbers of your business unit and the last three numbers/letters of your agency location/ship to address (i.e. 061proc will be 061roc). If there is an addition or change to your location/ship to addresses, you will submit an issue to GMIS immediately.

Vendor must be able to allow Mutiple Delivery on one QPA Purchase Order

The awarded vendor must maintain, at a minimum, the following information and be capable of supplying a report within one week of a request by the State:

- 1. Quantity and Type of Products, including any options, purchased by any State Agency and/or Political Subdivision, separated by each.
- 2. Total Dollar value of purchases made, separated by State Agency and/or Political Subdivision.

If the M/WBE participation level will exceed or fail to meet the goals outlined in the contractor's proposal, you must notify the M/WBE office immediately at MWDBE@idoa.in.gov. In the event that the contractor fails to report changes in participation attainment,

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Line Number Quantity UNIT

Article and Description

Unit Price

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demonstrate a good faith effort to reach the participation goals, pay the MBE and WBE in a timely manner or satisfactorily resolve any outstanding claims, the department may elect to withhold a disputed amount from the payments due to the contractor, suspend or terminate the contract, recommend suspension of the contractor's certification status with the public works division, and/or suspend, revoke, or deny the MBE or WBE certification and eligibility to participate in the MBE or WBE program per (25 IAC 5-7-8).

When an order or item needs to be returned to OfficeMax for credit or replacement please use the following process. All returns must first have an ATR number issued before Pillow Express can pick up your order to return. ATR number is "authorization to return" and is a transaction to ensure proper set up for the credit or replacement of any order. The order requestor will contact OfficeMax customer service by phone or process return on line to receive an ATR number. Please have necessary order information available to process your return such as invoice # and item/s numbers. Once you have the ATR number attach it to the box or product you are returning. Pillow Express will pick up the return in the same place the order is delivered. PLEASE DO NOT WRITE ON PRODUCTS TO BE RETURNED. OfficeMax maintains a 30 day return policy.

Phone: 866-346-6434 866-346-6433 Fax:

> The following UN/CEFACT Unit of Measure Common Codes are used in this document:

Signature of Purchasing Officer	Typed Name	Signature Of Approval Office Of the State Attorney General	
	Date Signed	Typed Name	Date Signed
Authorized Signature Indiana Department Of Administration Procurement Division 402 West Washington Street, Rm W468 Indianapolis, Indiana 46204			

Telephone: (317) 232-3053